REMARKS AND RESPONSES

Claim 1 has been currently amended. Claims 1 and 3-18 remain pending in the present application. Support for the amendments is found in the specification and claims as filed. Accordingly, the amendments do not constitute the addition of new matter. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

Claim Objection

Claim 1 stands objected to because a recitation of "a control unit being in parallel connection with the voltage diving node" renders the claim indefinite.

The recitation of Claim 1 has been currently amended as "a control unit being connected with the voltage-dividing node", this objection has thus been rendered moot.

Claim Rejections - 35 U.S.C. § 103

Claims 1 and 3-18 stand rejected under 35 U.S.C. §103(a) as unpatentable over Hollenbeck (US 5,513,053) in view of Krohn (US 5,076,761).

Of rejected claims, only claims 1, 7, 9 and 14 are independent.

The PTO specifies in MPEP §2141 that:

> The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner **does not produce a prima facie case**, the applicant is **under no obligation** to submit evidence of nonobviousness.

The Applicant submits that the prima facie case of obviousness is not established with respect to claims 1, 7, 9 and 14.

With respect to claim 1, the Examiner asserts on pages 2 and 3 of the Office Action that Hollenbeck's processor controller (118) being in parallel connection with one part of the voltage dividing circuit (222 and 224) and for accessing a voltage level of the part of the voltage dividing circuit to further drive the DC motor. However, there is no disclosure in Abstract, Column 1, lines 6-11, or Column 4, lines 44-67 regarding "how the processor controller (118) access a voltage level of the part of the voltage dividing circuit (222 and 224) to further drive the motor (104)". In addition, Krohn's disclosure does not teach, "how the

processor controller (118) of Hollenbeck access a voltage level of the part of the voltage dividing circuit (222 and 224) to further drive the motor (104)".

With respect to claim 7, the Examiner asserts on page 4 of the Office Action that Hollenbeck's processor controller (118) having a plurality of output terminals driving the power switches (130) and for accessing a terminal voltage of the second resistor. However, there is no disclosure in Abstract, Column 1, lines 6-11, or Column 4, lines 44-67 regarding "how the processor controller (118) access a terminal voltage of the second resistor (224)". In addition, Krohn's disclosure does not teach, "how the processor controller (118) of Hollenbeck access a terminal voltage of the second resistor (224)".

Claim 9 recites "when a voltage at the non-inverted input end of the operation amplifier is larger than a voltage at the inverted input end, the operation amplifier outputs an overvoltage interrupt signal to the control unit, and the control unit stops driving the DC motor." However, there is no disclosure in Abstract, Column 1, lines 6-11, or Column 4, lines 44-67 regarding "how the operation amplifier (210) outputs an overvoltage interrupt signal to the processor controller (118) and how the processor controller (118) stops driving the motor (104)." In addition, Krohn's disclosure does not teach, "how the operation amplifier (210) outputs an overvoltage interrupt signal to the processor controller (118) and how the processor controller (118) stops driving the motor (104)."

Claim 14 recites "when a voltage at the non-inverted input end is larger than a voltage at the inverted input end, the comparator outputs an overvoltage interrupt signal to the drive IC, and the output terminals then stops driving the power switches." However, there is no disclosure in Abstract, Column 1, lines 6-11, or Column 4, lines 44-67 regarding "how the operation amplifier (210) outputs an overvoltage interrupt signal to the processor controller (118) and how the processor controller (118) stops driving the motor (104)." In addition, Krohn's disclosure does not teach, "how the operation amplifier (210) outputs an overvoltage interrupt signal to the processor controller (118) and how the processor controller (118) stops driving the motor (104)."

In sum, the prima facie case of obviousness (with respect to claims 1, 7, 9, 14 and their dependants) cannot be established based on Hollenbeck and Krohn, either alone or in combination. Accordingly, Applicant respectfully submits that the rejections under 35 U.S.C. §103(a) should be withdrawn.

Reconsideration and withdrawal of this rejection are respectfully requested.

Conclusions

For all of the above reasons, applicants submit that the specification and claims are now in proper form, and that the claims define patentably over prior arts. Therefore applicants respectfully request issuance for this case at the Office Action's earliest convenience.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. JLINP171/TLC). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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